

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH BURNETT LIME COMPANY, INC. FOR CAL-FLO LIME SLURRY AT THE CHATTACHOOCHEE TREATMENT PLANT COMPLEX AND HEMPHILL TREATMENT PLANT COMPLEX, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND NO CENTS (\$175,636.00); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$73,514.00-5051 (WATER & WASTEWATER REVENUE FUND) 170404 (DWM WATER TREATMENT COMPLEX-CHATTACHOOCHEE) 5311003 (CHEMICALS) 4430000 (TREATMENT) AND \$102,122.00-FY2010 5051 (WATER & WASTEWATER REVENUE FUND) 170405 (DWM WATER TREATMENT COMPLEX-HEMPHILL) 4430000 (TREATMENT); AND FOR OTHER PURPOSES.

WHEREAS, lime slurry is a chemical mandated by Georgia Environmental Protection Agency (EPA), for water production; and

WHEREAS, the Department of Watershed Management/Bureau of Drinking Water Chattahoochee Treatment Plant Complex and the Hemphill Treatment Plant Complex both have pH adjustment systems designed to utilize the Cal-Flo Lime Slurry System; and

WHEREAS, the Burnett Lime Company, Inc. is the sole vendor for the Cal-Flo Lime Slurry for the pH adjustment systems at the Chattahoochee Treatment Plant Complex and the Hemphill Treatment Plant Complex ("Treatment Plants"); and

WHEREAS, the Burnett Lime Company, Inc. is the recommended sole source provider for the Cal-Flo Lime Slurry Product for the pH adjustment systems at the Treatment Plants; and

WHEREAS, the Chief Procurement Officer has authorized a sole source procurement in accordance with the City of Atlanta Code of Ordinances Section 2-1191; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement recommend that contract for Cal-Flo Lime Slurry at the Chattahoochee Treatment Plant Complex and Hemphill Treatment Plant Complex, be awarded to Burnett Lime Company, Inc. in an amount not exceed One Hundred Seventy-Five Thousand Six Hundred Thirty-Six Dollars and No Cents (\$175,636.00); and

WHEREAS, the City has determined that it is desirable and in its best interests to make such recommended award.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute a sole source procurement with Burnett Lime Company, Inc. for Cal-Flo Lime Slurry at the Chattahoochee Treatment Plant Complex and Hemphill Treatment Plant Complex, on behalf of the Department of Watershed Management in an amount not One Hundred Seventy-Five Thousand Six Hundred Thirty-Six Dollars and No Cents (\$175,636.00).

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the Contract for execution by the Mayor.

BE IT FURTHER RESOLVED, that all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: \$73,514.00-5051 (Water & Wastewater Revenue Fund) 170404 (DWM Water Treatment Complex-Chattahoochee) 5311003 (Chemicals) 4430000 (Treatment) and \$102,122.00-FY2010 5051 (Water & Wastewater Revenue Fund) 170405 (DWM Water Treatment Complex-Hemphill) 4430000 (Treatment).

BE IT FURTHER RESOLVED, that the funding of the Agreement shall be subject to and expressly contingent upon the City's adoption and approval of the FY 2010 budget and the appropriation of sufficient funds to the associated funding sources.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of an appropriate contractual agreement for execution by the Mayor.

BE IT FINALLY RESOLVED, that the Contract will not become binding upon the City, and the City will incur no liability under it until the Contract is executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Burnett Lime Company, Inc.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH BURNETT LIME COMPANY, INCORPORATED FOR CAL-FLO LIME SLURRY AT THE CHATTACHOOCHEE TREATMENT PLANT COMPLEX AND HEMPHILL TREATMENT PLANT COMPLEX, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND NO CENTS (\$175,636.00); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$73,514.00-5051 (WATER & WASTEWATER REVENUE FUND) 170404 (DWM WATER TREATMENT COMPLEX-CHATTACHOOCHEE) 5311003 (CHEMICALS) 4430000 (TREATMENT) AND \$102,122.00-FY2010 5051 (WATER & WASTEWATER REVENUE FUND) 170405 (DWM WATER TREATMENT COMPLEX-HEMPHILL) 4430000 (TREATMENT); AND FOR OTHER PURPOSES.

Council Meeting Date: May 18, 2009

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

THE PURPOSE OF THIS LEGISLATION IS TO PROVIDE CAL-FLO LIME SLURRY, A CHEMICAL MANDATED BY GEORGIA ENVIRONMENTAL PROTECTION AGENCY (EPD), FOR WATER PRODUCTION AT THE CHATTACHOOCHEE TREATMENT PLANT COMPLEX AND THE HEMPHILL TREATMENT PLANT COMPLEX.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

This is a critical chemical for water purification. It is a registered trademark of Burnett Lime Company, Inc., which is produced, processed and sold as a part of the patented CAL-FLO Slurry System. Cal-Flo lime slurry is a proprietary product that the Burnett Lime Company Incorporated manufactures. The Burnett Lime Company Incorporated is the Sole Source Vendor for the Cal-Flo Lime Slurry Product that BDW (Bureau of Drinking Water) uses for pH adjustment at the treatment plants. The Current pH adjustment system at each treatment plant was designed to utilize the Cal-Flo Lime Slurry System and to modify it at this time would not be an easy, quick, or inexpensive task.

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Professional Services
- (b) **Source Selection:** Sole Source
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

4. Fund Account Center (Ex. Name and number): FY2010 5051(Water & Wastewater Revenue Fund)170404 (DWM Water Treatment Complex-Chattahoochee) 5311003 (Chemicals) 4430000 (Treatment) \$73,514.00 & FY2010 5051 (Water & Wastewater Revenue Fund) 170405 (DWM Water Treatment Complex-Hemphill)4430000 (Treatment) in the amount of \$102,122.00.

Fund: _____ **Account:** _____ **Center:** _____

5. Source of Funds: Example: Local Assistance Grant

6. Fiscal Impact: FY2010 5051(Water & Wastewater Revenue Fund)170404 (DWM Water Treatment Complex-Chattahoochee) 5311003 (Chemicals) 4430000 (Treatment) \$73,514.00 & FY2010 5051 (Water & Wastewater Revenue Fund) 170405 (DWM Water Treatment Complex-Hemphill)4430000 (Treatment) in the amount of \$102,122.00..

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: R. Marie Pope, Buyer



SHIRLEY FRANKLIN
MAYOR

CITY OF ATLANTA
55 TRINITY AVENUE., SW, SUITE 5400, SOUTH BLDG.
ATLANTA, GEORGIA 30303-0324
OFFICE (404) 330-6081
FAX (404) 658-7194

DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

April 8, 2009

TO: Adam L. Smith, Esq., CPPB
Chief Procurement Officer
Department of Procurement

FROM: Robert J. Hunter, Commissioner
Department of Watershed Management

RE: **LEGISLATIVE REQUEST**
Sole Source Blanket Contract
Project: Cal-Flo Lime Slurry
Contractor: Burnett Lime Company Incorporated

Please prepare the appropriate legislation for Cycle 8 (May 18, 2009) for the above-referenced contract for the purpose of authorizing a purchase of the chemical, Lime Slurry which is mandated by Georgia Environmental Protection Agency (EPD), for water production at the Chattahoochee Treatment Plant Complex and the Hemphill Treatment Plant Complex.

Burnett Lime Company Incorporated is the Sole Source Vendor for the Cal-Flo Lime Slurry product which the Bureau of Drinking Water (BDW) uses for pH adjustment at the treatment plants. Cal-Flo Lime Slurry is a proprietary product that Burnett Lime Company Incorporated manufactures.

If you have any questions concerning this matter, please feel free to contact Gwendolyn J. Carswell, Watershed Manager at (404) 330-6331 or Marie Pope, Buyer at (404) 330-6373.

Your cooperation is appreciated in this matter.

RJH:mp

c: Sheila Pierce, Deputy Commissioner, DWM
Christopher Hebbard, Deputy Commissioner, DWM
Benjamin Kuku, Director of Administration, BDW
Karla Brown, Accounting Manager, BDW
File

09 APR - 9 PM 2:33
CITY OF ATLANTA
DEPT. OF PROCUREMENT



CITY OF ATLANTA

SUITE 1790

55 TRINITY AVENUE, SW

ATLANTA, GA 30303

(404) 330-6204 Fax: (404) 658-7705

Internet Home Page: www.atlantaga.gov

Shirley Franklin
Mayor

DEPARTMENT OF PROCUREMENT

Adam L. Smith, Esq., CPPB

Chief Procurement Officer

asmith@atlantaga.gov

April 23, 2009

SOLE SOURCE PROCUREMENT CERTIFICATION

This sole source request is made for Burnett Lime Company, Inc. to provide lime treatment for the City of Atlanta, Department of Watershed Management/Bureau of Drinking Water.

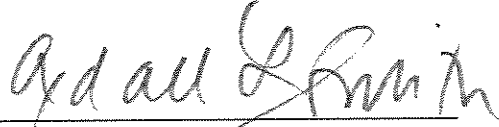
Having conducted an investigation of the available sources regarding the materials, goods and/or services stipulated herein pursuant to § 2-1191 of the City of Atlanta Code of Ordinances, Sole Source Procurement, my findings are the following:

1. Burnett Lime Company, Inc. is the sole source of CAL-FLO Lime Slurry. It is a Burnett Lime Company, Inc. registered trademark, which is produced and sold with the patented CAL-FLO slurry system.
2. Burnett Lime Company manufactures the patented CAL-FLO System and Slurry. This system has proven, over the years to be operator friendly and accurate in pH control. CAL-FLO Slurry is the standard for the industry calcium hydroxide slurry for its centerline quality control and meeting ANSI/NSF 60 specifications.
3. Burnett Lime Company is located at 7095 Highway 11, Campobello, SC. 29322.

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1137 of the City of Atlanta Code of Ordinances, do hereby approve, direct and authorize the sole source procurement for Budget Year 2010.

Burnett Lime Company, Inc. for CAL-FLO Lime Slurry and all other related products for the City of Atlanta, Department of Watershed Management.

Burnett Lime Company, Inc.


Adam L. Smith

BURNETT LIME COMPANY, INC.

7095 HIGHWAY 11 • CAMPOBELLO, SC 29322 • 864-592-1658 • FAX: 864-592-1690

April 10, 2009

Ms. Nicole Weems
City of Atlanta
55 Trinity Avenue Southwest
Suite 1790
Atlanta, Georgia 30303-0307

Nicole:

Burnett Lime Company is the sole source of CAL~FLO Lime Slurry. It is a Burnett Lime Company, Inc. registered trademark, which is processed, produced, and sold with the patented CAL~FLO slurry system.

When the 2009-2010 purchase orders are released, the price for CAL~FLO slurry will remain the same as last year at \$0.0515 per liquid pound in a 30% concentration. We look forward to serving you in the future.

Best regards,

A handwritten signature in cursive script, appearing to read "Hugh Burnett", with a long horizontal flourish extending to the right.

Hugh Burnett

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ Finance/Executive _____

Chief of Staff Deadline: _____ April 28, 2009 _____

Anticipated Committee Meeting Date(s): _____ May 13, 2009 _____

Anticipated Full Council Date: _____ May 18, 2009 _____

Legislative Counsel's Signature: _____

Commissioner Signature: _____

Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH BURNETT LIME COMPANY, INCORPORATED FOR CAL-FLO LIME SLURRY AT THE CHATTACHOOCHIEE TREATMENT PLANT COMPLEX AND HEMPHILL TREATMENT PLANT COMPLEX, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND NO CENTS (\$175,636.00); ALL CONTRACT WORK SHALL BE CHARGED TO AND PAID FROM THE LISTED FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS IN THE FOLLOWING AMOUNTS: \$73,514.00-5051 (WATER & WASTEWATER REVENUE FUND) 170404 (DWM WATER TREATMENT COMPLEX-CHATTACHOOCHIEE) 5311003 (CHEMICALS) 4430000 (TREATMENT) AND \$102,122.00-FY2010 5051 (WATER & WASTEWATER REVENUE FUND) 170405 (DWM WATER TREATMENT COMPLEX-HEMPHILL) 4430000 (TREATMENT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$175,636.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)